

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Earl Ingels,
Petitioner

vs.

Case No. 1:00cv1003
(Spiegel, J.; Hogan, M.J.)

Harry Russell,
Respondent

ORDER

On March 31, 2003, this habeas corpus action brought pursuant to 28 U.S.C. § 2254 was administratively stayed and terminated on the Court's active docket so that petitioner could exhaust his state remedies. (*See* Docs. 6, 7). Recently, on March 10, 2004, the Court granted petitioner's motion to reinstate the case upon his averment that he has exhausted his state remedies, and petitioner's request for leave to file an amended petition. (Doc. 15). Because the case has been reactivated on the Court's active docket, respondent is hereby ORDERED to file within forty (40) days of the date of filing of this Order a return of writ in accordance with this Court's original show cause order issued December 6, 2000 (*see* Doc. 2), responding to the allegations contained in petitioner's second amended petition filed March 10, 2004 (*see* Doc. 16).

IT IS SO ORDERED.

Date: 3/11/04
cbc

s/Timothy S. Hogan
Timothy S. Hogan
United States Magistrate Judge